

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 13

March 31, 2009

APPROVED BY THE BOARD OF POLICE COMMISSIONERS ON MARCH 31, 2009

SUBJECT: CODE-THREE RESPONSE POLICY - REVISED

EFFECTIVE: May 15, 2009

PURPOSE: The "Code-Three" response policy has been revised to address concerns regarding prompt response to emergencies and redefine appropriate response to officers' requests for additional units.

The purpose of this Order is to:

- * Allow officers the discretion to respond "Code-Three" to any emergency;
- * Allow multiple units to respond "Code-Three" to an emergency;
- * Eliminate "Officer Needs Assistance" requests;
- * Re-define "Officer Needs Help" and "Back-up" requests; and,
- * Re-define "Additional Unit" requests as a non-emergency call.

The California Vehicle Code (CVC) grants certain exemptions to emergency vehicles from adherence to the rules of the road. The Vehicle Code and Department policy were designed to ensure that officers arrive to the scene of an emergency expeditiously, while minimizing the risk to the officers and the public.

California Vehicle Code Section 21055 exempts the driver of an authorized emergency vehicle from the rules of the road when the driver is responding to an emergency, provided the vehicle displays a lighted red lamp visible from the front, and sounds a siren as may be reasonably necessary.

The CVC states "Section 21055 does not relieve the driver of a vehicle from the duty to drive with due regard for the safety of all persons using the highway, nor protect him from the consequences of an arbitrary exercise of the privileges granted in that section." Section 17004 CVC protects officers from civil liability while they are acting in the line of duty when responding to an emergency call and complying with 21055 CVC.

PROCEDURE:

I. OFFICER RESPONSIBILITY. An officer may initiate a "Code-Three" response to any emergency. An emergency exists when one or more of the following elements are present:

- * A serious public hazard;
- * An immediate pursuit;
- * The preservation of life;
- * A serious crime in progress;
- * The prevention of a serious crime; and,
- * Officer requests another unit "Code-Three."

Officers responding "Code-Three" should notify Communications Division of their "Code-Three" response and their starting point. The notification should be given, if feasible, with consideration to radio congestion or other factors that occur during emergency situations.

Should the vehicle operator decide not to initiate a "Code Three" response, he/she shall obey all traffic laws.

A. Emergency Call. A radio call accompanied by a "Code-Three" designation is an emergency call. It shall be answered immediately, but in a manner that will enable the unit to reach the scene as quickly and safely as possible. A specific unit shall be dispatched "Code-Three" and ALL additional responding units may also respond "Code-Three."

B. Officer Needs Help. This emergency call shall be broadcast when an officer requires immediate aid for a life-threatening incident or an incident that requires immediate aid because of serious bodily injury, death, or a serious threat to public safety is imminent. The officer requesting shall include the location, followed if possible, by the unit identification and all other pertinent information.

A specific unit shall be dispatched "Code-Three" and ALL additional responding units may also respond "Code-Three."

- C. **Firefighter Needs Help.** This emergency call shall be broadcast when immediate police assistance is required because firefighters are being attacked, attack is imminent, or another type of emergency exists. A specific unit shall be dispatched "Code-Three" and ALL additional responding units may also respond "Code-Three."
- D. **Officer Needs Assistance Request.** The "assistance" request has been eliminated.
- E. **Firefighter Needs Assistance.** This emergency call shall be broadcast when police assistance is required due to hostile crowd action or other incident. A specific unit shall be dispatched "Code-Three," and ALL additional responding units may also respond "Code-Three."
- F. **Back-up Unit Request.** This emergency call shall be broadcast when an officer requires additional units immediately, but the situation does not rise to the level where serious bodily injury, death or serious threat to public safety is imminent.

Examples: Active perimeter, foot pursuit, 415 group, a crime-in-progress, etc.

The officer requesting shall include the location, followed by the unit designation and all other pertinent information, including the reason for the request. A specific unit shall be dispatched "Code-Three," and ALL additional responding units may also respond "Code-Three."

- G. **Additional Unit Request.** An "Additional Unit" broadcast is when an officer requires an additional unit for a non-emergency situation. The officer requesting shall include the location, followed by the unit identification and all other pertinent information. An "additional unit" request is not an emergency call and responding officers shall obey all traffic laws when responding.

Examples: "Code-6 George" with no indication of violence toward the officers, L-Unit involved in a traffic stop, follow up for a criminal investigation, etc.

II. PURSUIT PROCEDURE. The Department pursuit procedures are revised as follows:

- * Officers engaged in a pursuit should request a Back-up unit; and,
- * Responding back-up units may respond "Code-Three." However, once all authorized units have joined the pursuit, all other units shall discontinue their "Code-Three" response.

All other existing pursuit procedures remain the same.

III. CODE FOUR AND CODE SIX PROCEDURES. This Special Order does not change the Department's established policy regarding "Code-Four" and "Code-Six" broadcasts. Officers shall use discretion and downgrade their responses based on the arrival of other units at the requesting officer's location or if a "Code-Four" is broadcast.

IV. INTERRUPTING A CODE-TWO CALL FOR SERVICE. Officers are reminded of their responsibility to notify Communications Division of any interruption or delay in response to a "Code-Two" Call for Service.

Note: Officers should consider notification via the Department's Mobile Digital Computer so as not to interfere with any emergency radio broadcast.

V. SUPERVISORY RESPONSIBILITY.

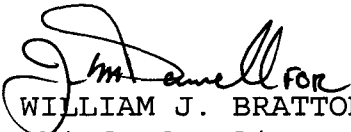
Supervisors are obligated to assess the appropriateness of officers' requests and to manage the "Code-Three" response of other units. Supervisors shall immediately intervene when necessary to coordinate the response of sufficient units, minimize the risk to officers and the public, and ensure that the patrol force is not unnecessarily depleted. Feedback, training, counseling or a complaint investigation should be provided/initiated, as appropriate.

Upon the broadcast of a "Code-Four," supervisors shall evaluate continued "Code-Three" responses for appropriateness. In addition, supervisors shall direct units back into service as applicable to ensure response to "Code-Two" and non-coded calls.

- VI. **"CODE-THREE" RESPONSES DURING MOBILE FIELD FORCE SITUATIONS.** The policy and procedures as outlined in the Department manual concerning "Code-Three" responses during mobile field force operations remains unchanged.
- VII. **DUE REGARD FOR SAFETY.** The "Code-Three" response policy does not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway and other responding officers. Officers who unreasonably engage in an arbitrary exercise of the "Code-Three" response policy may be subject to disciplinary action, personal civil liability, and criminal prosecution.
- VIII. **COMMANDING OFFICERS' RESPONSIBILITIES.** Commanding officers shall ensure the following:
- * Ensure employees are aware of the revisions to the Code-Three Response Policy.
 - * Maintain a signed Acknowledgement of Receipt of this Special Order regarding Code-Three Response Policy - Revised.

AMENDMENTS: This Order amends Department Manual Sections 4/120.40 and 4/205.10.

AUDIT RESPONSIBILITY. Each Geographic Bureau Commanding Officer shall monitor compliance with this directive in accordance with Department Manual Section 0/080.30.


WILLIAM J. BRATTON
Chief of Police

DISTRIBUTION "D"

ACKNOWLEDGEMENT OF RECEIPT
CODE-THREE RESPONSE POLICY – REVISED
SPECIAL ORDER 13, 2009

I hereby acknowledge that I have received Special Order No. 13 dated March 31, 2009, entitled, "Code-Three Response Policy – Revised."

This Special Order states, in part, that an officer may initiate a "Code-Three" response to any emergency. An emergency exists when one or more of the following elements are present:

- * A serious public hazard;
- * An immediate pursuit;
- * The preservation of life;
- * A serious crime in progress;
- * The prevention of a serious crime; and,
- * Officer requests another unit "Code-Three."

Officers responding "Code-Three" should notify Communications Division of their "Code-Three" response and their starting point. The notification should be given, if feasible, with consideration to radio congestion or other factors that occur during emergency situations.

Should the vehicle operator decide not to initiate a "Code-Three" response, he/she shall obey all traffic laws.

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|-----------------|----------------------|------------|------|
| Employee's Name | Employee's Signature | Serial No. | Date |
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| Supervisor Serving | Supervisor's Signature | Serial No. | Date |
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Note: This document shall be placed in the employee's divisional package.